

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

AUG 16 2024

DUBLIN DIVISION

FILED

THOMAS ANDREW WHITTLE,)
Plaintiff,)
v.) CV 322-111
SOUTHERN CORRECTIONAL)
MEDICINE, LLC, d/b/a Genesys Healthcare)
Alliance, LLC, and DYNAMIC MOBILE)
DENTISTRY,)
Defendants.)

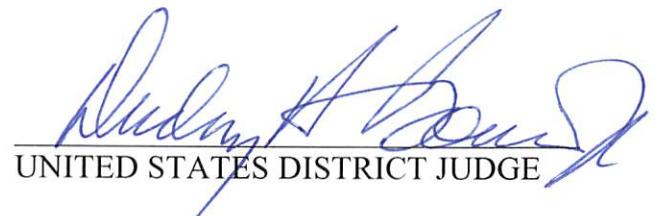
O R D E R

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. (Doc. no. 86.) Although the Report and Recommendation addresses several motions, Plaintiff's objections focus on the recommendation to grant the motion for summary judgment filed by Defendant Southern Correctional Medicine, LLC, d/b/a Genesys Healthcare Alliance, LLC, ("Genesys"). Plaintiff emphasizes he believes the delay he experienced in receiving dental treatment amounts to deliberate indifference under the Eighth Amendment. (*Id.* at 2-4.) However, he fails to address the crux of the relevant analysis set forth in detail in the Report and Recommendation, which explains Genesys cannot be held liable on a theory of vicarious liability. (See doc. no. 84, pp. 16-18.) Nothing in Plaintiff's objections changes the analysis that the record does not show Genesys advanced a policy or custom of deliberate indifference

that led to Plaintiff's alleged injuries, and therefore summary judgment in favor of Genesys is appropriate. See Ireland v. Prummell, 53 F.4th 1274, 1289-90 (11th Cir. 2022).

Accordingly, the Court **OVERRULES** all objections and **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion. Therefore, the Court **DENIES** Plaintiff's motions for summary judgment and entry of default judgment, (doc. nos. 69, 72), and **GRANTS** the motion for summary judgment filed by Genesys, (doc. no. 55). Because the Court previously granted the motion to dismiss by Dynamic Mobile Dentistry ("DMD"), (doc. no. 53), the Court **DIRECTS** the Clerk to enter an appropriate final judgment in favor of both Genesys and DMD and **CLOSES** this civil action.

SO ORDERED this 16th day of August, 2024, at Augusta, Georgia.



UNITED STATES DISTRICT JUDGE